

## **2007 DRAFTING REQUEST**

### **Bill**

Received: **11/15/2006**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC**

By/Representing: **Don Dyke**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - fire safety**

Extra Copies:

Submit via email: **NO**

---

### **Pre Topic:**

No specific pre topic given

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### **Topic:**

Low rise fire protection variance change

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### **Instructions:**

See Attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	rkite 11/15/2006	jdye 11/21/2006	rschluet 11/21/2006		sbasford 11/21/2006		
/1	rkite 10/30/2007	jdye 10/30/2007	jfrantze 10/30/2007		sbasford 10/30/2007		
/2	rkite 11/16/2007	jdye 11/16/2007	pgreensl 11/16/2007		cduerst 11/16/2007	sbasford 11/20/2007	

FE Sent For: **N/A**

**<END>**

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/?							
/P1	rkite 11/15/2006	jdyer 11/21/2006	rschluet 11/21/2006	_____	sbasford 11/21/2006		

FE Sent For:

11/30 jld

11/30/06  
Seth  
11/30/06  
<END>

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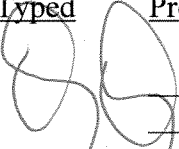
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See Attached

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/?	rkite	PI 11/21/06					

FE Sent For:

**<END>**

**MEMORANDUM**

**DATE:** November 3, 2006

**TO:** Terry Anderson, Director  
Joint Legislative Council

**FROM:** Mary P. Burke, Secretary  
Department of Commerce

**SUBJECT:** Proposals for Law Revision Committee

As a follow-up to our October 26, 2006 memo relating to statutory changes for consideration by the Law Revision Committee, the Department of Commerce is submitting the attached additional changes for items from our Safety and Buildings Division.

If you have any general questions about these items, please contact Louie Cornelius, Director of Policy and Budget. He can be reached at 266-8629. In addition, Bob DuPont, the Director of Program Development in the Division of Safety and Buildings, can be reached for specific questions about these items at 266-8984.

cc: David Storey  
Kathryn Carlson  
Bob DuPont  
Louie Cornelius  
Greg Jones  
Laura Rose, Legislative Council  
Don Dyke, Legislative Council

#### **4) Low Rise Fire Protection - Variances**

##### **a) Requested Change**

Repeal section 101.14 (4) (c) (2), Stats., regarding low rise building fire protection variances.

##### **b) Problem**

RNK This statute specifies that the Department may grant a variance to certain rules and laws relating to automatic fire sprinklers prior to rules being promulgated as affected by 1983 Wisconsin Act 295. The statutory provision is out of date, as it has not been applicable in several years.

##### **c) Need for Change**

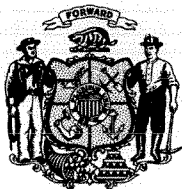
The deletion of the outdated statutory reference will update and increase the clarity of the statutory language administered by the Department.

##### **d) Fiscal Effect**

No fiscal impact is expected from this change, because current revenues or expenditures would not be affected.

##### **e) Other**

This proposal does not involve any significant policy change, and no public- or private-sector groups are expected to oppose this proposal.



State of Wisconsin  
2007 - 2008 LEGISLATURE

Rm run  
PI

LRB-0774/3

RNK: ^....

جل

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

- 1 AN ACT ...; relating to: variances to rules concerning automatic fire sprinklers  
2 in places of employment and public buildings under 60 feet in height (suggested  
3 as remedial legislation by the Department of Commerce).

---

*Analysis by the Legislative Reference Bureau*

Under current law, the Department of Commerce (Commerce) is required to promulgate rules requiring owners of places of employment and public buildings to install fire detection, prevention, or suppression devices to protect the health, welfare, and safety of the persons who use those places and buildings. Current law also provides that Commerce may grant a variance to the rules relating to automatic fire sprinklers under limited circumstances. This bill eliminates Commerce's authority to grant those variances.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 4 SECTION 1. 101.14 (4) (c) 1. of the statutes is renumbered 101.14 (4) (c).  
5 SECTION 2. 101.14 (4) (c) 2. of the statutes is repealed.

6

(END)

INSERT  
1-4





2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

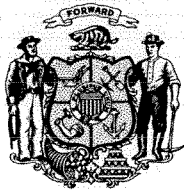
LPS-use this insert  
LRB-0818/P1ins2  
RNK:.....

INSERT 1-4

Department of Commerce

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the ~~the~~ and introduced by the Law Revision Committee under s. 13.83 (1) (c) 1. and 5., as a result of the Revisor of Statutes' case and opinion review under s. 13.93 (2) (d), stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

(end Insert 1-4)



(soon)  
State of Wisconsin  
2007 - 2008 LEGISLATURE

RM run  
1  
LRB-0774/P1

RNK:jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

- 1 AN ACT *to repeal* 101.14 (4) (c) 2.; and *to renumber* 101.14 (4) (c) 1. of the  
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3        (END)



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-0774/1  
RNK:jld:jf

2007 BILL

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2       **SECTION 2.** 101.14 (4) (c) 2. of the statutes is repealed.

3       **(END)**

INTENT 2A

1

INSERT TO LRB-0750/P1

INSERT 2A

**NOTE:** The residential facilities council was created by ch. 413, laws of 1975, SEC. 16m. The council was directed to advise the department of industry, labor and human relations on the promulgation of the residential facilities building code, which was required under ch. 413. Chapter 413 provided that the council disband upon promulgation of the code. According to the Department of Commerce, the council disbanded in approximately 1979.



(soon)  
State of Wisconsin  
2007 - 2008 LEGISLATURE

RM run  
2  
LRB-0774/8  
RNK:jld:jf

## 2007 BILL

Regen

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3 **(END)**

insert  
2-2



**2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0774/2ins.  
RNK:.....

**INSERT 2-2**

note:  
std

NOTE: The residential facilities council was created by ch. 413, laws of 1975, section 16m. The council was directed to advise the Department of Industry, Labor and Human Relations on the promulgation of the residential facilities building code, which was required under ch. 413. Chapter 413 provided that the council disband upon promulgation of the code. According to the Department of Commerce, the council disbanded in approximately 1979.



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

ONE EAST MAIN STREET  
SUITE 200  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

November 16, 2007

### MEMORANDUM

To: Legislative Council - LRC

From: Robin N. Kite, Legislative Attorney

Re: LRB-0774/2 Low rise fire protection variance change

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

\_\_\_\_\_ JACKET FOR ASSEMBLY    ☒ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7291 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



02-08-2008  
Per LRB Editor  
CSS

## 2007 SENATE BILL 345

December 3, 2007 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Commerce, Utilities and Rail.

- 1 AN ACT *to repeal* 101.14 (4) (c) 2.; and *to renumber* 101.14 (4) (c) 1. of the
- 2 statutes; **relating to:** variances to rules concerning automatic fire sprinklers
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# SENATE BILL 345

provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

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2                    **SECTION 2.** 101.14 (4) (c) 2. of the statutes is repealed.

NOTE: The residential facilities council was created by ch. 413, laws of 1975, section 16m. The council was directed to advise the Department of Industry, Labor and Human Relations on the promulgation of the residential facilities building code, which was required under ch. 413. Chapter 413 provided that the council disband upon promulgation of the code. According to the Department of Commerce, the council disbanded in approximately 1979.

3 (END)

INS 2A

1

INSERT TO LRB-0774/P1

INSERT 2A

**NOTE:** The repealed subdivision provides as follows:

101.14 (4) (c) 2. Before the effective date of the rules promulgated under subd. 1., as affected by 1983 Wisconsin Act 295, section 3, the department may grant a variance to any rule relating to automatic fire sprinklers and mandated under chapter 320, laws of 1981, if the department first does both of the following:

- a. Consults with the chief of the fire department having authority over the place of employment or public building.
- b. Determines that the variance provides protection, substantially equivalent to that of the rules mandated by chapter 320, laws of 1981, of the health, safety and welfare of employers, employees and frequenters of the place of employment or public building.

According to the Department of Commerce, the repealed provision has long been inapplicable.